GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department – Allegations of failure to obtain prior permission to acquire assets against Sri S.Veeraiah Chowdary, formerly Dy.EE, Panchayat Raj (RWS), Macherla, Guntur District and now working as Dy.EE, Panchayat Raj Vig. & Q.C. SD, Guntur - Departmental proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 378 **Dated: 29-04-2016**

ORDER:

It is proposed to hold an inquiry against Sri S.Veeraiah Chowdary, formerly Deputy Executive Engineer, Panchayat Raj (Rural Water Supply), Macherla, Guntur District and now working as Deputy Executive Engineer, Panchayat Raj Vigilance & Quality Control Sub Division, Guntur in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputation of misconduct or misbehavior in support of the Article of charges framed against Sri S.Veeraiah Chowdary, formerly Deputy Executive Engineer, Panchayat Raj (Rural Water Supply), Macherla, Guntur District and now working as Deputy Executive Engineer, Panchayat Raj Vigilance & Quality Control Sub Division, Guntur, is enclosed (Annexure-II). A list of documents by which and list of witnesses, by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri S.Veeraiah Chowdary, formerly Deputy Executive Engineer, Panchayat Raj (Rural Water Supply), Macherla, Guntur District and now working as Deputy Executive Engineer, Panchayat Raj Vigilance & Quality Control Sub Division, Guntur is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri S.Veeraiah Chowdary, formerly Deputy Executive Engineer, Panchayat Raj (Rural Water Supply), Macherla, Guntur District and now working as Deputy Executive Engineer, Panchayat Raj Vigilance & Quality Control Sub Division, Guntur, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S.Veeraiah Chowdary, formerly Deputy Executive Engineer, Panchayat Raj (Rural Water Supply), Macherla, Guntur District and now working as Deputy Executive Engineer, Panchayat Raj Vigilance & Quality Control Sub Division, Guntur is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Attention of Sri S.Veeraiah Chowdary, formerly Deputy Executive Engineer, Panchayat Raj (Rural Water Supply), Macherla, Guntur District and now working as Deputy Executive Engineer, Panchayat Raj Vigilance & Quality Control Sub Division, Guntur, is invited to Rule 24 of the Andhra Psradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

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7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S.Veeraiah Chowdary, Deputy Executive Engineer Panchayat Raj, Vigilance & Quality Control Sub Division, Guntur, **through** the Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Hyderabad.
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Hyderabad. (with a request to serve and return the acknowledged copy and Written Statement of Defence)

Copy to:
The Director General, Anti-Corruption Bureau, Andhra Pradesh, Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
S.f./S.c.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE –I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI SAKHAMURI VEERAIAH CHOWDARY, FORMERLY DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ (RURAL WATER SUPPLY), MACHERLA, GUNTUR DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ VIGILANCE & QUALITY CONTROL SUB DIVISION, GUNTUR.

ARTICLE OF CHARGE:

That Sri Sakhamuri Veeraiah Chowdary, Deputy Executive Engineer, Panchayat Raj Vigilance & Quality Control Sub Division, Guntur, while working as Deputy Executive Engineer, Panchayat Raj (Rural Water Supply), Macherla, Gunur District, during the period from 31.12.2005 to the date of registration of the Anti-Corruption Bureau case i.e. on 12.01.2006, has committed grave misconduct in as much as he failed to obtain prior permission from the competent authority and mention in Annual Property Returns regarding the acquisition / disposal of immovable and movable properties and investments and failed to maintain absolute integrity in violation of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus Sri Sakhamuri Veeraiah Chowdary, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming to a Government Servant and thereby violated Rule 9(1) & (2) (7) r/w 13 (1) (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMEBNT

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI SAKHAMURI VEERAIAH CHOWDARY, DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ (RURAL WATER SUPPLY), MACHERLA, GUNTUR DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ VIGILANCE & QUALITY CONTROL SUB DIVISION, GUNTUR ARE PROPOSED TO BE SUSTAINED

Sri Sakhamuri Veeraiah Chowdary is a native of Guravayapalem, Narasa Rao pet Mandal, Guntur District. His date of birth is 15.01.1968 and he joined Government Service on 9.4.1992 as Assistant Executive Engineer, Panchayat Raj Department. He worked in the same capacity at Tenali, Guntur, Vinukonda, Narasarao pet and Macherla. He got promotion as Deputy Executive Engineer on 31-12-2005 and while working in the aforesaid capacity he was arrested on 12.01.2006 on the charge of having disproportionate Assets. He was drawing a basic pay of Rs.9,900/-. He is due to retire on attaining the age of superannuation on 31.1.2026. He is here-in-after referred to as Government Servant.

ALLEGATION:-

That the Government Servant while working as Deputy Executive Engineer in Panchayat Raj Department failed to obtain prior permission from the competent authority and failed to mention in Annual Property Returns regarding the acquisition/disposal of immovable and movable properties and investments by him and his family members.

FACTS IN EVIDENCE:-

On credible information, a case in Crime No.3/RCA-VGT/2006 under Section 13(2) r/w 13 (1) (e) of the Prevention of Corruption Act, 1988 was registered on 9-1-2006 against Sri Sakhamuri Veeraiah Chowdary, Deputy Executive Engineer, Panchayat Raj Department (Rural Water Supply), Macherla, Guntur district and investigated into. During the course of house search conducted on 12-1-2006, information (documents) relating to acquisition and possession of certain items of movable and immovable properties and investments on the part of Government Servant came to light. Following are the Movable and Immovable properties on the name of Government Servant and his family members:-

1. The Government Servant purchased a house site in an extent of 372½ Sq. yards at Nallapadu Guntur in his name for Rs.1,90,000/- and this amount was taken as the Asset of the Government Servant. The connected documents are on record.

2. The Government Servant purchased land in an extent of Ac.1.78½ at Yellamanda village, Narasaraopet Mandal, Guntur district in the name of his wife for Rs.82,300/- and this amount was taken as the asset of the Government Servant. The connected documents etc. are on record.

3. The Government Servant purchased land to an extent of Ac.0.70 cents at Yellamanda Village, Narasaraopet Mandal, Guntur district for Rs.35,000/- in the name of his wife and this amount was taken as the Asset of the Government Servant. The connected documents etc. are on record.

4. The Government Servant purchased land in an extent of Ac.2.29 cents at Yellamanda village in the name of his wife for Rs.1,03,120/- and this amount was taken as the Asset of the Government Servant. The connected documents etc. are on record.

5. The Government Servant purchased a house site to an extent of 534 Sq. yards Yellamanda village, Narasaraopet Mandal, Gurntur district in the name of his wife for Rs.2,72,500/- and this amount was taken as the Asset of the Government Servant. The connected documents etc. are on record.

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6. The Government Servant and two others purchased a house site to an extent of 388 Sq. yards at Koritapadu, Guntur district in the name of his wife and Manam Venkata Siva Prasad for Rs.2,50,000/-. Hence, an amount of Rs.83,333/- was taken as the Asset of the Government Servant. The connected documents are on record.

7. The Government Servant and 2 others purchased a house site to an extent of 319 Sq. yards at Koritapadu, Guntur distrtict in the name of his wife Sujatha and M.V.Siva Prasad for Rs.2,00,000/-. Hence, an amount of Rs.73,333/- was taken as the Asset of the Government Servant. The connected documents etc., are on record.

8. The Government Servant and his father-in-law purchased land to an extent of Ac.4.67 at Lam village, Guntur district in the name of his wife and Manam Veeraiah for Rs.2,80,500/-. Hence, an amount of Rs.1,40,250/- was taken as the asset of the Government Servant. The connected documents etc. are on record.

9. The Government Servant constructed a two storied building at Koritapadu in Dr.No.4-5-29/26 with 6 flats in the name of his wife during the check period, 4 flats were sold away and by the end of check period 2 flats were in their possession, and their value was evaluated by the Deputy Executive Engineer, (Engg), Anti-Corruption Bureau, Hyderabad as Rs.8,97,300/- and this amount was taken as his asset. The connected documents etc. are on record.

10. The Government Servant purchased a Hero Honda Motor Cycle bearing No.AP7G 4011 for Rs.30,000/- and this amount was taken as his assets. The connected papers and receipts etc. are on record.

11. The Government Servant purchased a Bajaj Sunni Spice bearing No.AP7L 3730 for Rs.19,860/- and this amount was added to the assets of the Government Servant. The connected documents etc. are on record.

12. As per the Inventory Report, the total value of house-hold articles are worth Rs.5,09,137/- and this amount was added to the assets of the Government Servant. The connected vouchers and bills etc. are on record.

13. Gold found in the locker of Central Bank of India, Guntur of the Government Servant worth Rs.5,69,500/- was added to the asset of the MOS. The connected vouchers are bills etc. are on record.

14. The cash balance found in the Account No.4064 of Chaitanya Grameena Bank in favour of the Government Servant was Rs.50,000/- and the said amount was added to the Assets of the Government Servant. The connected bank pass book etc. is on record.

15. The Government Servant lent a total amount of Rs.1,00,000/- to Sri S.Veera Brahmin Guravayapalem and executed two promissory notes worth Rs.50,000/- each. Hence Rs.1,00,000/- was taken as the asset of the Government Servant.

During the course of investigation it came to light that the Government Servant during his tenure he has not obtained prior permission from his competent authority, not intimated and also not mentioned in Annual Property Returns regarding acquisition of assets in his name and in the name of his family members which contradict to the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

During the course of investigation, it has come into light that the Government Servant has acquired Movable and Immovable properties and investments without prior permission of competent authority of his department.

Thus the said Sri Sakhamuri Veeraiah Chowdary, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 9 (1) (2) (7) r/w Rule 3 (1) & (2) Andhra Pradesh Civil Services (Conduct) Rules 1964.

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The Government Servant has therefore rendered himself liable for regular departmental action for major penalty.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI SAKHAMURI VEERAIAH CHOWDARY, FORMERLY DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ (RURAL WATER SUPPLY), MACHERLA, GUNTUR DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ VIGILANCE & QUALITY CONTROL SUB DIVISION, GUNTUR ARE PROPOSED TO BE SUSTAINED.

1. Xerox copy of FIR in Cr.No.7/RCA-ACB-VJA/2006 - 4 Sheets
2. Mediators report drafted on 12-1.2006 -3 Sheets
   06-30 hours to 10.30 hours at D.No.3-28/18/112, Rajendra Nagar, 1st Lane, Guntur.
4. Copy of letter regarding property statements of MOS received from Executive Engineer, Panchayat Raj, Narasaraopet.
5. Copy of final report in Cr.No.7/RCA-ACB-VJA/2006 of District Inspector, Guntur.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI SAKHAMURI VEERAIAH CHOWDARY, DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ (RURAL WATER SUPPLY) MACHERLA, GUNTUR DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PANCHAYAT RAJ VIGILANCE & QUALITY CONTROL SUB DIVISION, GUNTUR ARE PROPOSED TO BE SUSTAINED.

1. Sri R.V.Subbaiah, B.E., Executive Engineer, Panchayat Raj Department, Narasaraopet.
2. Sri Cherreri Vijaya Kurmar Reddy, DCTO., Kothapet, Guntur.
3. Sri J.I.V.Krupakara Rao, S.A., O/o CTO., Kothapet, Guntur.
4. Sri K.Mahipal Reddy former DSP, Anti-Corruption Bureau, Vijayawada Range, Vijayawada now ACP Rajendra Nagar, Cyberabad.
5. Sri G.Nageswar Reddy, District Inspector, Guntur, Anti-Corruption Bureau, Vijayawada Range, Vijayawada.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER